

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING June 14, 2007

Prepared by: Wayne Wiley, Assistant Planner

ITEM IV-B: TENTATIVE SUBDIVISION MAP- 801 RIVERSIDE AVENUE - RIVERSIDE BUSINESS PARK - FILE # 2007PL-050 (SUB-000094)

REQUEST

The applicant requests approval of a Tentative Subdivision Map to create 14 "for-sale" commercial condominium units ranging in size from 1,575 square feet to 9,939 square feet within an existing building.

Applicant – Ashley Singh, Bellecci & Associates Owner – M. T. Costello Jr., Riverside Business Park L.P.

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact for the Tentative Subdivision Map; and
- B. Approve the Tentative Subdivision Map subject to sixteen (16) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed the recommendations and is in agreement with the conditions of approval.

BACKGROUND

The subject property is located on the east side of Riverside Avenue, north of Cirby Way within the Infill Area of the City of Roseville (see Attachment 1). The parcel is approximately 4-acres in size and is zoned Industrial Business Park and has a General Plan designation of Community Commercial (CC). In July of 1977, a Use Permit (UP 77-18) was approved allowing the construction of the Riverside Business Park, totaling 54,000 square feet. On December 10, 1998, a Conditional Use Permit (CUP 98-11) and parking reduction were approved for the site allowing a community assembly use (Calvary Chapel) to operate within the Industrial Park zoning district.

Currently, the subject building is occupied by several businesses, and the property owner wishes to subdivide the business park into condominium suites that can be sold to individual tenants. The current request is for a Tentative Subdivision Map to create 14 "for-sale" industrial/office condominiums as described below.

SITE INFORMATION

Location: 801 Riverside Avenue, Infill Area

Roseville Coalition of Neighborhood Associations (RCONA): This parcel is located within the Cresthaven Neighborhood Association Area (13). To date, the Planning & Redevelopment Department has not received any inquires or comments regarding the project.

Total Size: 3.91 acres

Topography: Site grading was approved with the original Use Permit and the site is fully developed; no changes to the site grading are proposed with this request.

Adjacent Zoning and Land Use

Location	Zoning	General Plan Land Use	Current Use Of Property
Site	Industrial Business Park (MP)	Community Commercial (CC)	Industrial Office Building
North	MP	CC	Automotive Sales (Autoland)
South	MP	CC	Skating Rink (Roller King)
East	Planned Development for Residential (PD 66)	Medium Density Residential (MDR 10)	Single Family Residences (Cirby Hill Townhomes)
West	General Commercial (GC)	CC	Automotive Sales (Ideal Car)

EVALUATION

No changes to the existing site design, utility plan, grading plan, or building elevations are proposed with this request. However, the proposed Tentative Subdivision Map will subdivide the existing building into 14 industrial/office condominium suites. Currently the building is occupied by several businesses as noted in Attachment 3. In the future, if tenants change, the property owner will have the flexibility to lease the interior space of each condo as needed.

Section 18.06.180 of the City of Roseville Subdivision Ordinance requires that three findings be made in order to approve or conditionally approve a Tentative Subdivision Map. The three findings are listed below in **bold italics** and are followed by an evaluation of the map in relation to each finding.

1. The size, design, character, grading, location, orientation, and configuration of lots, roads and all improvements for the tentative subdivision map are consistent with the density, uses, circulation and open space systems, applicable policies and standards of the General Plan and the Community Design Guidelines, and the design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.

The current request will provide staff with an opportunity to improve the site. As noted above, the site was originally approved and constructed in the late 1970's. Since that time, much of the landscape has become overgrown. As such, staff has included Condition #3 requiring that the property owner improve the landscape to its original condition per the approved Use Permit (UP 77-18) (see Attachment 2). Staff recommends the applicant take the following actions: replace all dead plant material, prune bushes, pull weeds, and place bark in all landscaped areas. Staff also recommends Condition #4 requiring a Business Owners Association be formed to ensure that the common areas are regularly maintained. The Business Owners Association will function much like a traditional Home Owners Association and will be the mechanism for ensuring that all common areas (landscape areas, drive aisles, parking lot, building, etc.) are maintained properly.

The proposed Tentative Subdivision Map will not negatively impact the existing development. The configuration of airspace units will have a negligible impact on the density, use, circulation, and all other applicable policies. Additionally, the Map Act and Subdivision Ordinance do not contain any maximum or minimum lot/condo sizes, just as there are no restrictions on the number or size of lease spaces that may be created.

2. The subdivision will result in lots which can be used or built upon. The subdivision will not create lots which are impractical for improvement or use due to: the steepness of terrain or location of watercourses in the area; the size or shape of the lots or inadequate building area; inadequate frontage or access; or, some other physical condition of the area.

The subject property currently has a lease agreement with the adjacent parcel to the south to allow shared parking. Staff finds the current situation appropriate; however, a reciprocal access and parking agreement will be required to continue to allow tenants and visitors to freely park anywhere within the two parcels. Staff recommends Condition #7 requiring the recordation of a reciprocal parking and access agreement between the subject parcel and the adjacent parcel to the south.

The proposed Tentative Subdivision Map will create air-space lots and provide for individual office condominium units. During staff's review of the Tentative Subdivision Map application, it was determined that the creation of 14 office condominium units will not create any impractical or unusable space.

3. The design and density of the subdivision will not violate the existing requirements prescribed by the Regional Water Quality Control Board for the discharge of waste into the sewage system, Pursuant to Division 7 of the Water Code.

The water quality impacts associated with the project and the expected discharge of waste for this project are consistent with what has been anticipated by the General Plan Environmental Impact Report (EIR). In addition, the design of the sewer lines in the project area and treatment capacity at the City's sewage treatment plant have adequate conveyance and capacity to accommodate the approved development. Approval of the Condominium Map will not increase the development intensity beyond that approved with the original Use Permit.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15315 pertaining to minor land divisions and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact as stated in the staff report for the TENTATIVE SUBDIVISION MAP 801 RIVERSIDE AVENUE RIVERSIDE BUSINESS PARK FILE # 2007PL-050.
- B. Approve the TENTATIVE SUBDIVISION MAP 801 RIVERSIDE AVENUE RIVERSIDE BUSINESS PARK FILE # 2007PL-050 with the sixteen (16) conditions listed below.

CONDITIONS OF APPROVAL FOR TENTATIVE SUBDIVISION MAP 2007PL-050

- 1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning & Redevelopment)
- 2. This map shall be valid for a period of two (2) years from this date and shall expire on **June 14**, **2009**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than five years from **June 14**, **2009**. (Planning & Redevelopment)

- 3. All landscape areas shall be restored to their original condition per UP 77-18 and to the satisfaction of the Planning and Redevelopment Department. (Planning & Redevelopment)
- 4. Separate declaration of Conditions, Covenants and Restrictions (CC&Rs) for each condominium shall be approved by the City Attorney prior to recordation of the Final Map. The CC&Rs shall include the following items:
 - a) Creation of a Business Owners Association. (Attorney)
 - b) Business Owners Association shall be responsible for maintenance of all common areas including landscape areas, parking areas, and drive aisles. (Attorney)
 - c) The common areas provide reciprocal access, parking and utilities (including drainage) for the mutual benefit of all condominium units. (Attorney)
 - d) Provisions for title to common areas to be held by the Business Owners Association for and on behalf of all owners of each condominium unit. (Attorney, Engineering, Fire, Environmental Utilities, Planning & Redevelopment)
 - e) A clause shall be included within the CC&R's that prohibits changes to any of the items required by the City unless approved by the City. (Attorney)
- 5. The applicant shall establish a Business Owners Association, which shall be billed by the City for water consumption. At the request of the City additional information will be required of the Business Owners Association on an ongoing basis. The Business Owners Association will be required to submit a copy of their annual statement to the City every year. If the Business Owners Association is in arrears on the water bill three months in a row, the Business Owners Association must give the City access to their books for auditing purposes. If the Business Owners Association should become inactive, each individual condominium owner must sign in separately for water service. A notice to this effect shall be placed in the CC&R's for the condominium project. (Environmental Utilities)
- 6. The subdividing of this project shall not reduce the responsibilities of the owners of this project from maintaining all on-site fire systems including all common adjoining fire sprinkler-piping penetrations. If an owners association is formed, there shall be a clear language regarding maintenance and common easements agreement for service. A service company shall be obtained to maintain all on-site fire protection systems. (Fire)
- 7. 801 Riverside Avenue and 889 Riverside Avenue shall have rights of reciprocal access and parking. A separate agreement to this effect shall be submitted to the City as part of final/parcel map submittal. Said agreement shall be in a form acceptable to the City Attorney and referenced on the face of the recorded map. (Engineering)
- 8. The following easements shall be provided and shown on the Final/Parcel Map or by separate instrument, unless otherwise provided for in these conditions:
 - a) A 10-foot wide public utilities easement along all road frontages.
 - b) 10' PUE centered on the existing high voltage electrical facilities. (Electric)
- 9. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)

- 10. Separate document easements required by the City shall be prepared in accordance with the City's "Policy for Dedication of Easements to the City of Roseville". All legal descriptions shall be prepared by a licensed Land Surveyor (Environmental Utilities, Electric, Engineering)
- 11. In Accordance with Section 66427 of the Subdivision Map Act, the following shall be added to the face of the Final Map:
 - a) The Title of the project shall clearly state "An Office Condominium Project";
 - b) The number of approved condominium units is clearly displayed;
 - c) A separate information sheet shall be added to the final map that depicts each lot and business owners association, the footprint of each condominium building within each lot, and the number of units and unit number within each building; and
 - d) All common land within each phase of the project shall be owned and maintained by the separate Business Owners Association. The Business Owners Association shall operate and maintain all common land for the owners of the units. (Engineering)
- 12. The Final/Parcel Map shall include an irrevocable offer to dedicate public rights-of-way and public and/or private easements as required by the City. (Engineering)
- 13. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUEs) located along public roadways. (Engineering)
- 14. The Final/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys." A plot or print of the submittal shall accompany the electronic copy. The complete submittal shall occur after the Engineering Department approval but prior to City Council approval of the Final/Parcel Map. (Engineering)
- 15. The applicant shall pay City's actual costs for providing plan check, installation and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Environmental Utilities, Engineering, Finance)
- 16. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)

ATTACHMENTS

- Vicinity Map
- 2. Use Permit 77-18
- 3. Existing Tenants & Lease Square Footages

EXHIBITS

A. Riverside Business Park Tentative Map

Note to Applicant and/or Developer: Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.